

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

Case No.: 19-43375-cec
(Chapter 7)

James D. Henry

Debtor(s).

Hon. Carla E. Craig
Bankruptcy Judge

AFFIRMATION IN OPPOSITION TO LOSS MITIGATION REQUEST

I, Deborah Turofsky, Esq., am an Attorney associated with the Law Firm of Gross Polowy, LLC and am duly licensed to practice law in the Courts of this State and in the United States Bankruptcy Court for the Eastern District of New York, and I hereby affirm as follows:

1. I submit the within Affirmation in Opposition to the Loss Mitigation Request filed by the above captioned Debtor, James D. Henry (the "Debtor"), in relation to real property commonly known as 555 Union Hill Road, Marlboro, NJ 07726 (the "Real Property").
2. The Law Firm that this Affirmant is associated with represents Rushmore Loan Management Services, LLC (the "Servicer") in relation to a first mortgage lien with loan number ending in ...5497, in relation to the Real Property.
3. The Debtor made a loss mitigation request in relation to the Real Property for the above mentioned mortgage lien on May 31, 2019 (the "Loss Mitigation Request").
4. The loan is currently 126 payments past due.
5. This Debtor does not reside at the above mentioned New Jersey property. The Debtor lists 7281 Amboy Road, Staten Island NY 10307 as his place of residence.
6. This Debtor recently received a Chapter 7 bankruptcy discharge on May 2, 2019 for Case #18-44450. This Bankruptcy was filed on
7. This Debtor had a previous bankruptcy filing, Case #16-44651, whereby the Debtor sought loss mitigation options on his 7281 Amboy Road, Staten Island NY property. Loss mitigation was terminated on July 21, 2017, as docket #37. For this matter, the Debtor was denied his discharge

by the Trustee's Motion.

8. For the reasons set forth above, the Secured Creditor respectfully submits that the Debtor's request for loss mitigation in relation to the Real Property commonly known as 555 Union Hill Road, Marlboro, NJ 07726 should be denied.

WHEREFORE, the Secured Creditor respectfully requests that the Honorable Court deny the Debtor's request to enter into court-supervised loss mitigation efforts in relation to the Real Property commonly known as 555 Union Hill Road, Marlboro, NJ 07726.

DATED: June 28, 2019
Westbury, NY

By

Gross Polowy, LLC
Attorneys for Rushmore Loan
Management Services, LLC


By: Deborah Turofsky, Esq.
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